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Wal-Mart Stores, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

FABIOLA BANALES, an individual,  
  
Plaintiff,

v.

WAL-MART STORES, INC.; and DOES 1  
through 100; and ROE CORPORATIONS 101  
through 200, inclusive,  
  
Defendants.

Case No.: 2:17-cv-00553-MMD-PAL

**STIPULATED PROTECTIVE ORDER  
BETWEEN PLAINTIFF FABIOLA  
BANALES AND DEFENDANT WAL-  
MART STORES, INC.**

**STIPULATED PROTECTIVE ORDER**

The parties to this action, Defendant Wal-Mart Stores, Inc. and Plaintiff, Fabiola Banales, by their respective counsel, hereby stipulate and request that the Court enter a stipulated protective order as follows:

1. The Protective Order shall be entered pursuant to the Federal Rules of Civil Procedure and applicable local rules for the United States District Court, District of Nevada
2. The Protective Order shall govern all materials identified as "Confidential" by the parties. Disclosed materials claimed to be confidential in nature shall be produced by placing the following legend on the face of each document and each page so designated "CONFIDENTIAL" or otherwise expressly identified as confidential. The parties will use best efforts to limit the number of documents designated as "Confidential." Confidential Information in this case shall include, even

1 without specific designation as “Confidential,” Defendants’ policies and procedures and training  
2 materials and maps/schematics of the subject Walmart store.

3 3. Confidential Information shall be held in confidence by each party or his or her  
4 representatives, attorneys, and agents for use solely for the purposes of this action and not for any  
5 business purpose. Documents designated as confidential may not be disclosed to persons or parties  
6 whose relationship to the dispute between the parties is not reasonably related to the prosecution or  
7 defense of claims litigated.  
8

9 4. Each counsel shall be responsible for providing notice of the Protective Order and the  
10 terms therein to persons to whom they disclose “Confidential Information,” as defined by the terms of  
11 the Protective Order.  
12

13 5. The parties will file under seal any Confidential Information included in any papers,  
14 motions, or pleadings to avoid the public disclosure of said information.

15 6. The termination of this action shall not relieve the parties and persons obligated  
16 hereunder from their responsibility to maintain the confidentiality of information designated  
17 confidential pursuant to this Order.

18 7. After the final adjudication or resolution of this Lawsuit (“final adjudication” will  
19 include the resolution of any appeals), a party may make a written demand to the other party for the  
20 return of confidential materials, including all copies and reproductions thereof. The party receiving the  
21 written demand shall have thirty (30) days from receipt of the written demand to comply with same.  
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8. Nothing in the Protective Order shall be deemed to preclude any party from seeking and obtaining, on an appropriate showing, a modification of this Order.


DATED this 4th day of May 2017.

DATED this 4<sup>th</sup> day of May, 2017.

**BERNSTEIN & POISSON**

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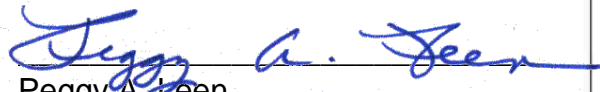
*Attorneys for Plaintiff  
Fabiola Banales*

*Attorneys for Defendant  
Wal-Mart Stores, Inc.*

The terms of the above stipulation for a protective order by and between Defendant, Wal-Mart Stores, Inc., and Plaintiff, Fabiola Banales, by their respective counsel, shall hereby be the ORDER of this Court.

**IT IS FURTHER ORDERED** that any party filing documents under seal shall comply with the requirements of LR IA 10-5 and the Ninth Circuit's directives in *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006).

Dated: May 18, 2017

  
Peggy A. Leen  
United States Magistrate Judge